

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOY L.J. PRYOR,

Plaintiff,

v.

No. 14-cv-0701 SWS/SMV

**METROPOLITAN LIFE INSURANCE COMPANY;
WHOLE FOODS MARKET BENEFITS
ADMINISTRATIVE COMMITTEE;
WHOLE FOODS MARKET, INC.; and
WHOLE FOODS MARKET SERVICES, INC.;**

Defendants.

INITIAL SCHEDULING ORDER

This case is assigned to me for scheduling, case management, discovery, and all non-dispositive motions. Both the Federal Rules of Civil Procedure, as amended, as well as the Local Rules of the Court apply to this lawsuit. Civility and professionalism will be required of counsel. Counsel shall read and comply with “A Lawyer’s Creed of Professionalism of the State Bar of New Mexico.”

The parties, appearing through counsel or pro se, will “meet and confer” no later than **January 23, 2015**, to discuss preparation of a Joint Status Report and, if the parties anticipate conducting any discovery, a Provisional Discovery Plan (“JSR”). Please follow the sample JSR available at the Court’s web site, making modifications as necessary in view of the ERISA claims. The blanks for suggested/proposed dates are to be filled in by the parties. Actual case management deadlines will be determined by the Court after consideration of the parties’

requests. Plaintiff (or Defendant in removed cases) is responsible for filing the JSR by **February 13, 2015**.

Parties may not modify case management deadlines on their own. Good cause must be shown and the Court's express and written approval obtained for any modification of the dates in the scheduling order that issues from the JSR.

A Rule 16 initial scheduling conference will be held by telephone on **February 23, 2015, at 9:30 a.m.** To connect to the proceedings, the parties shall call Judge Vidmar's Teleconference Line at **(215) 446-3656**, using code **4382538**. Counsel shall be prepared to discuss the following: a briefing schedule; discovery needs and scheduling; and whether a hearing will be requested. We will also discuss settlement prospects, alternative dispute resolution possibilities, and consideration of consent pursuant to 28 U.S.C. § 636(c). Client attendance is not required.

IT IS THEREFORE ORDERED that the deadlines shall be as follows:

Meet and Confer by:	January 23, 2015
JSR filed by:	February 13, 2015
Telephonic Rule 16 Initial Scheduling Conference:	February 23, 2015, at 9:30 a.m.



STEPHAN M. VIDMAR
United States Magistrate Judge